

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION**

United States of America,

Criminal No. 2:15-472-RMG

v.

**ORDER**

Dylann Storm Roof.

This matter is before the Court on the Government's motion to admit summary exhibits, filed on September 6, 2016. (Dkt. No. 357.) The principal subject of the Government's motion is a proposed timeline of the case, to be presented by a case agent. (*Id.* at 1.) The Government's motion provides, "Although the government has not completed the proposed exhibit, it will be included in the governments [*sic*] exhibit list due October 10, 2016. For the foregoing reasons, this Court should, contingent upon review of the proposed summary exhibit, allow the government to admit such evidence." (*Id.* at 3.) It has been approximately eighty days since the Government moved for admission of the proposed timeline exhibit, yet the Government has never advised the court whether it has completed the proposed exhibit or provided it to Defendant. The Government nonetheless asserts Defendant's failure to respond to its motion regarding hypothetical exhibits constitutes a waiver of objections. (Dkt. No. 516 at 10.)

The Court therefore **DENIES WITHOUT PREJUDICE** the Government's motion to admit summary exhibits (Dkt. No. 357). The Government must provide proposed summary exhibits with any renewed motion to admit summary exhibits.

**AND IT IS SO ORDERED.**



Richard Mark Gergel  
United States District Court Judge

November 30, 2016  
Charleston, South Carolina